

304 CMR 12.00: FORESTS AND PARKS RULES

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12.01: General Provisions

(1) Authority. The Division of Forests and Parks promulgates 304 CMR 12.00 pursuant to the authority granted under M.G.L. c. 21, § 4A, M.G.L. c. 132A, § 2D, M.G.L. c. 132A, § 7, M.G.L. c. 15A, § 22 and St. 1981, c. 746, §§ 12A and 13.

(2) Purpose. 304 CMR 12.00 governs the conduct of all activities within the forest, parks, rinks and pools of the Commonwealth under the care, custody or control of the Division of Forest and Parks.

(3) Construction.

(a) 304 CMR 12.00 shall be liberally construed to permit the Division of Forest and Parks and the Department of Environmental Management to discharge their statutory functions.

(b) The Director of the Division of Forest and Parks or the Commissioner of the Department of Environmental Management may, in the public interest, or in an emergency, suspend the application of 304 CMR 12.00.

12.01: continued

(c) No provision of 304 CMR 12.00 shall make unlawful any act necessarily performed by any officer or employee of the Department of Environmental Management in line of duty or work as such, or by any person, his agents or employees in the proper and necessary execution of the terms of any agreement with the Department of Environmental Management.

- (4) Severability. If any chapter, section, subsection, division or subdivision, of 304 CMR 12.00 shall be determined to be invalid, such determination shall apply to the particular chapter, section, subsection, division or subdivision, and all other provisions of 304 CMR 12.00 shall remain valid and in effect.

12.02: Definitions

Area Supervisor means a person designated by the Director to be responsible for the supervision, operation, protection and maintenance of an area of Department property.

Beach, Swimming or Bathing Area means any area designated by the Division as such, including the actual sand beach, if any, and the adjacent waters used for bathing, swimming and wading.

Bicycle Path means any way designed and constructed specifically for non-motorized bicycle use.

Bus means a vehicle designed for carrying more than eight passengers or more than two special needs persons and used primarily for the transportation of persons either for compensation, as a service, or as an adjunct to a school program.

Camping means utilization of any piece of equipment for sleeping in or upon for the purpose of occupying a portion of state land or water for transient and temporary outdoor living.

Commissioner means the Commissioner of the Department of Environmental Management.

Department means the Commonwealth of Massachusetts, Department of Environmental Management.

Department property means property in which the Department has a legal interest including property under the care, custody or control of the Division.

Designated Campsite means an area containing camping sites which are the specifically numbered sites in an established campground.

Designated Picnic Area means an area containing picnic tables and or fireplaces specifically established by the Division for the outdoor consumption and/or preparation of food.

Director means the Director of the Division of Forests and Parks within the Department Commonwealth of Massachusetts or his designated agent.

Division means the Division of Forests and Parks within the Department of Environmental Management.

Division Property means property under the care, custody or control of the Division of Forest and Parks.

Fishing means capturing, killing, or trapping fish by angling with the use of a hook with or

without a fly which must be personally attended.

Free flight device means any non-motorized glider or aircraft considered a hang glider by the Federal Aviation Administration.

12.02: continued

Forest Road means any paved way constructed and maintained for use by wheeled vehicles registered under M.G.L. c. 90, whether or not such a corridor is normally open for such use.

Forest Trail means any single track path or way with a trail tread width less than 50 inches wide.

Forest Way means any gravel or dirt road, fire lane/road, abandoned railroad bed, skid road or any non-paved way of sufficient trail tread width to accommodate a four-wheeled vehicle greater than 50 inches in width.

Hunting means the shooting, killing or capturing of mammals or birds and all lesser acts such as disturbing, harrying or worrying of mammals or birds.

International Trail Symbol means the nationally recognized wordless trail symbols as adopted by the U.S. Forest Service.

Intersection means the area embraced within the extensions of the lateral curb lines, or, if none, then the lateral boundary lines of intersecting ways, as defined in M.G.L. c. 90, § 1, including divided ways.

Juvenile means any person under the chronological age of 18.

Mountain Bicycle means a two wheel non-motorized bicycle designed to be used both on and off paved surfaces and over unimproved terrain.

Off-Road Vehicle or ORV means any motor powered vehicle less than 1000 pounds gross weight designed or modified for cross country travel without benefit of a road or trail, on or over land, snow, ice, wetland or other natural terrain. It includes but is not limited to tracked or three or four wheeled vehicles, motorcycles or related two wheeled vehicles, amphibious machines, air cushion vehicles or any other means of transportation deriving motive power from a source other than muscle or wind. The term "ORV" does not include a snow vehicle, farm vehicle, or logging vehicle. ORV does not include a Department vehicle when being used in the performance of their official duties or under permit to the Department. An ORV, as defined in 304 CMR 12.00, is called a "Recreational Vehicle" in M.G.L. c. 90.

Operate means to ride in or on, and be in actual physical control of the operation of a snow vehicle or ORV.

Official Traffic Control Devices means all signs, signals, markings and devices not inconsistent with the rules and regulations of the Department of Environmental Management which are placed or erected by the authority of the Department of Environmental Management for the purpose of guiding, directing, warning or regulating traffic.

Parking means the standing of a vehicle whether occupied or not, other than temporarily, for the purpose of and while actually engaged in loading or unloading or in obedience to an office or traffic signs or signals or while making emergency repairs, or if disabled, while arrangements are being made to move such vehicle.

Parking Area means any designated part of any forest road, driveway, or special area contiguous thereto, set apart for the standing or stationing of any vehicles and marked as such.

Parking citation means a notice upon which a park ranger or other authorized officer shall record an occurrence involving one or more parking rule or regulation violations by the person cited.

Person means any individual, firm, partnership, corporation, company, association, or body politic, or any combination of individuals, except the United States and the Commonwealth of Massachusetts and includes any agent, trustee, executor, receiver, assignee, or other representative thereof.

12.02: continued

Personal watercraft means a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designated to be operated by persons sitting, standing or kneeling on the vessel.

Rail Trail means any former railroad right-of-way which is Department property and is developed and actively managed for public recreation. Rail Trails are typically paved, signed, and have structures (gates, bollards, etc.) to control vehicular access.

Recreational camping vehicle means a bus, travel trailer, motorhome, van conversion, pick-up camper, or collapsible tent trailer having a maximum length of 35 feet.

Safari Campsite means a campsite for motor homes, motorized campers or self contained camping units.

Service Way means a way in which the fee or an easement of travel is owned by the Commonwealth from which the public may be excluded.

Sidewalk means that portion of a roadway or parkway under the care and control of the Department of Environmental Management set aside for pedestrian travel.

Snow vehicle means a motor powered vehicle designed to travel over ice or snow, supported in whole or part by skis, belts, cleats or tracks.

Stand or Standing means the halting of a vehicle whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

Stop or Stopping means any halting even momentarily of a vehicle whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Traffic means pedestrians, ridden or herded animals, bicycles, vehicles, buses and other conveyances either singularly or together while using any way for purpose of travel.

Trapping means the staking out, setting, using, tending, placing, maintaining or picking up any device designed or intended for the taking whether alive or dead, of any mammal or bird, and includes every attempt to take and every act of assistance to any person in taking or attempting to take any mammal or bird.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a way.

Watercraft means a vessel or boat of any kind but does not include a personal watercraft.

12.03: Hours of Operations

(1) Unless otherwise provided for in 304 CMR 12.00 or unless posted to the contrary, all Department property shall be closed to the public between the hours of 8:00 P.M. to ½ hour before sunrise from May 1 through August 31 or from ½ hour after sunset to ½ hour before sunrise from September 1 through April 30.

(2) During the hours Department property is normally closed to the public, persons, acting in conformance with all applicable Division regulations, engaged in the following activities may be present:

- (a) activities exempted in writing by the Area Supervisor or Director;
- (b) Division programs or activities such as authorized night time use of Urban Heritage State Parks, fishing, hunting, trapping, snowmobiling, or authorized camping;
- (c) authorized occupation of structures located within the area; or
- (d) sleeping in water craft, as provided for in 304 CMR 12.00.

12.03: continued

(3) Temporary Closing of Facilities. The Director can establish maximum limits as to the holding capacity of Department property. Admittance to certain facilities may be suspended temporarily and/or evacuation of a facility may be directed when these limits are reached, or exceeded, or when, at the discretion of the Director, it is determined that further public use of the facility is hazardous due to weather, water, fire, construction or other situations involving public health, safety or welfare. No person shall enter, use or occupy any such closed area.

12.04: Public Behavior, Disorderly Conduct and Removal of Persons

(1) No person shall engage in disorderly conduct including rough play, pushing, shoving and fighting or use obscene language while within the confines of Department property.

(2) No person shall engage in or games which, due to the location or nature of the activity, may cause or tend to cause discomfort, fear or injury to any person, or property, while within the confines of Department property.

(3) No person shall dive, jump, or swim from; or throw or launch anything from any Department bridge unless otherwise posted.

12.05: Enforcement

(1) Any person who by his or her actions violate any provision of 304 CMR 12.00, or any person who fail to comply with any reasonable request of any duly authorized employee of the Department, are subject to fine, eviction or both.

(2) Any person may also be denied admittance to and/or suspended from any Department property for a period of time to be recommended by the Area Supervisor or Superintendent and approved by the Director of Forests and Parks, for violating any regulation of the Department or any provision thereof, including failing to comply with any reasonable request of any duly authorized employee of the Department.

12.06: Alcoholic Beverages Prohibited

No person shall consume or possess alcoholic beverages on Department property except with written permission from the Director.

12.07: Audio or Noise Producing Devices

(1) No person shall operate or use any audio device, including radio, television and musical instruments, and other noise producing devices, such as electrical generator plants and equipment driven by motors or engines, in such a manner or at such times so as to disturb other persons.

(2) No person shall operate or use any public address system, whether fixed, portable or vehicle mounted except with prior written approval of the Director.

(3) No person shall operate or use a chain saw in a camping or day use area without prior approval of the Area Supervisor.

12.08: Animals on Department Properties

(1) No person shall bring a dog, cat or other animal into any State Forest, Park or Reservation except in areas and under conditions determined by the Director. The Director may designate areas where an animal shall be restrained within a cage or on a bridle, tether or leash not to exceed ten feet in length. All animals shall be kept in such control at all times when within the confines of the designated areas.

(2) No person shall leave any animal unattended while within the confines of any Department property.

12.08: continued

(3) A person shall keep any animal under his or her control from interfering with any another park patron's enjoyment of Department property. A park patron's enjoyment of Department property is not interfered with merely by a person interacting with any animal under his or her control in a customary manner for such animal, such as horseback riding. The Area Supervisor may direct that the animal be removed by the owner or handler.

(4) Except when the Director has issued a special use permit to the person, no person shall release any wild or domestic animal for the purpose of abandoning that animal in any area administered by the Department,.

(5) Tenants of the Department, who lease or rent realty or structures on lands administered by the Department are permitted to keep pets on the leased premises provided that the pets are confined by fence, cage, leash, or other suitable enclosure.

The species and quantity of pets which may be kept by tenants shall be at the discretion of the Director.

(6) While on Department property, any animal required by law to have a rabies vaccination must have proof of the vaccination.

(7) Violation of any of 304 CMR 12.00 may subject the animal(s) to removal by a dog officer or like official at the request of the Area Supervisor. Any and all costs incurred in such removal shall be the responsibility of the owner.

(8) Persons are responsible for the removal and proper disposal of feces of dogs or cats allowed in the following area types of Department property:

- (a) Heritage Parks;
- (b) Bicycle Paths;
- (c) pool grounds;
- (d) designated campsites;
- (e) designated picnic areas
- (f) rail trail; and
- (f) boat ramps.

(9) No person shall feed geese or other waterfowl within 200 ft. of a designated swimming area.

12.09: Seeing Eye and Medical Support Dogs Allowed

Seeing eye dogs accompanying legally blind persons and dogs providing medical support when accompanying the persons whose needs they are trained to meet are allowed on Department property.

12.10: Dumping, Littering, and Garbage

(1) A person shall not leave, place or dispose of in any manner, refuse, sewerage or other material under or upon the lands or waters of the Department except in receptacles provided for such purposes.

No person shall drain or dump any refuse or waste of any nature from any boat, trailer or other vehicle except in receptacles provided for such purposes.

(2) A person shall not import onto Department property any substance for the purpose of discarding that substance.

(3) Any person utilizing any structure, facility, or area administered by the Department shall leave it in a clean and sanitary manner or condition, upon vacating the structure, facility, or area.

12.11: Damage to Buildings, Signs and Other Property; Metal Detectors; Geological Features and Artifacts

(1) A person shall not damage or remove any Department property real or personal.

12.11: continued

- (2) No person shall erect any structure, other than camping equipment erected in designated campsites, without the express written consent of the Director.
- (3) No person shall use or offer for use metal detectors on Department property except at the discretion of the Area Supervisor on designated swimming beaches and designated campsites.
- (4) The Director may issue a special use permit authorizing archaeologically-related or geologically-related activities.

12.12: Solicitation and Commercial Use

- (1) No person shall solicit, sell, rent, advertise or offer to sell or rent, hawk, peddle, display or distribute any goods, wares, tangible or intangible property, merchandise, liquids or edibles, or services for hire, or render any services for hire, in Department property except by authority of a special use permit or an approved concession contract issued by the Director.
- (2) No person shall distribute, erect, or fix any handbill, circular, pamphlet, placard, sign, notice, billboard, poster or any printed matter in any area or facility administered by the Department, except by special permit issued by the Director.
- (3) In all above cases, when a special permit to distribute or exhibit has been issued, the special permit holder shall be responsible for removal of all litter resulting from such distribution or exhibition.

12.13: Fires, Lighted Smoking Materials, Embers

- (1) A person shall not kindle, build, maintain, or use a fire other than in places or structures provided for such use except that portable stoves using gasoline or other manufactured fuels and charcoal grills may be used if permission to do so is granted by the attendant on duty. The Director may designate parks and forests where fires shall be limited to manufactured fuels only. Any fire, ember, or burning briquettes shall be continuously under the care and direction of a competent adult from the time of kindling until it is extinguished.
- (2) No person within the confines of any area or facility administered by the Division shall throw away or discard any match, cigarette, cigar, embers or briquettes or other burning object which has not been entirely extinguished.
- (3) The Area Supervisor may limit the size of all campfires and prescribe safety precautions to be taken.
- (4) Upon a determination by the Director of extreme fire hazard, no person shall use smoking materials or build fires in areas posted as to the existence of extreme fire hazard.
- (5) Between the hours of midnight and 5:00 A.M, open air fires are not permitted in any Division campsite.

12.14: Smoking in Department Buildings Prohibited

Except in an area specifically designated for smoking, a person shall not smoke in any public Department building.

12.15: Technical Climbing

Technical climbing, defined as mountaineering of sufficient difficulty to require the use of ropes or other forms of specialized mountain climbing equipment to aid in ascent or decent, shall be only by special use permit issued by the Director.

12.16: Free Flight Devices

A person may use free flight devices on or over Department lands or waters only under a special use permit issued by the Director.

12.17: Special Use Permits

- (1) No person shall conduct any commercial or special activity or event upon the lands or waters of the Division without first obtaining a special use permit from the Director.
- (2) All request for special use permits shall be made in writing to the Director. The Director shall respond to all applications in a timely manner consistent with Department policies established on special use permits.
- (3) When the Department's use and management objectives and policies require provisions for care and security of a facility which is being utilized under special use permit, the Director may require that a Department employee familiar with the facility and trained in its protection and conservation be hired and paid by the permittee. The selection of that employee shall be made and approved by the facility supervisor in a manner consistent with law and contract. The employee chosen shall be paid directly by the permittee at a rate commensurate with his or her current classification, step and grade.

12.18: Hunting Fishing and Trapping

- (1) Hunting, fishing, trapping and the possession of firearms, bow and arrow, trap or other lawful device for the taking, killing or capturing of mammals or birds, shall be permitted within the boundaries of any Department property with the exception of those closed to those activities. The Division shall make available a list of all open, closed or restricted properties on request to the Director or in each Department property.
- (2) No person shall hunt or shoot at any wildlife and/or wild animal within 500 feet of any designated Division picnic area, camping area, residence, service building, latrine, parking lot or cabin.
- (3) No person shall hunt or shoot any wildlife and/or wild animal within 150 feet of any designated Division bicycle path.
- (4) During normal swimming hours, no person shall fish in any beach waters, or swimming areas or where boundaries are posted with "no fishing" signs.
- (5) The following Department properties are closed to hunting, trapping, and posession of bow and arrow:
 - Ames Nowell State Park, Abington
 - Arthur Warton Swann State Forest, Monterey
 - Ashland State Park, Ashland-Hopkinton
 - Bates Memorial State Park, Hancock
 - Borderland State Park, Sharon-Easton
 - Bradley W. Palmer State Park, Hamilton-Ipswich-Topsfield
 - Bristol-Blake State Reservation, Norfolk
 - Calahan State Park, Framingham
 - Callahan State Park "the former Glick & O'Donnell Property"
 - Cape Cod Rail Trail, Dennis, Harwich, Brewster, Orleans, Eastham
 - Captain William K. Webb Memorial State Park, Weymouth
 - Chicopee State Park
 - Cochituate State Park, Natick-Framingham-Wayland
 - Cushing Memorial State Park, Scituate
 - Daughters of American Revolution State Forest, Goshen
 - Demarest Lloyd Memorial State Park, Dartmouth
 - Dighton Rock State Park, Berkley
 - Great Brook Farm State Park, (all lands within the Town of Carlisle)
 - Halibut Point State Park, Rockport
 - Hampton Ponds State Park, Westfield

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Hopkinton State Park, Upton-Hopkinton
 Maudslay State Park, Newburyport
 Mt. Everett Reservation, Mt. Washington
 Mt. Tom State Reservation
 Nickerson State Park, Brewster
 Nobscot Hill Property, Framingham
 Purgatory Chasm, Sutton
 Quinsigamond State Park, Worcester-Shrewsbury
 Robinson State Park, Agawam-Westfield-W. Springfield
 Skinner State Park, Hadley-South Hadley
 Standish Monument State Reservation, Duxbury
 Urban Heritage State Parks
 Wahconah Falls State Park, Dalton-Hinsdale-Windsor
 Whitehall State Park, Hopkinton-Upton-Westborough
 Walden Pond State Reservation, Lincoln-Concord

- (6) The following Department properties are closed to fishing:

Bristol-Blake State Reservation, Norfolk
 Fall River Heritage State Park south of the boathouse
 Holyoke Heritage State Park
 Lowell Heritage State Park with the following exceptions: Merrimack Canal adjacent to Lucy Larcom Park; area along Eastern Canal adjacent to Prescott and Kerouac Parks; Western canal along Suffolk Street between Fletcher Street, Merrimack Street, and Moody Street; Pawtucket Canal along walkway, not including stairway between Market Street parking lot and Central Street; Merrimack Riverfront part except at Boathouse.
 Lynn Heritage State Park except at the area designated for fishing on the pier.

- (7) The following indicated sections of the Department properties are closed to hunting:

Charles River State Reservation/Medfield State Hospital. Hunting is prohibited north and east of Route 27, except for bow and primitive arms, which are allowed on the parcel bounded on the northwest by the Charles River, on the northeast by the Conrail tracks, and on the south by Route 27/Hospital Road (excluding the cemetery).

Mt. Washington State Forest, Mt. Washington, former Intemann property only.

Federation of Womens Clubs State Forest, Petersham, Description of closed area: Beginning at a stake on the northerly side of the Dana-Petersham Road, said stake being the most westerly point of the area to be described, thence following said Dana-Petersham Road in an easterly and southeasterly direction for a distance of 3500 feet more or less to a stone bound; thence S 81 21' E 831.77' to a stone bound; thence N 4 13' E 757.73' along a fence to an angle in said fence; thence N 60 13' E 702.33' along said fence to a junction of fences; thence N 83 50' W 436' to a corner of fences; thence N 4 20' E 1772' along a fence and stone wall to an iron pin; thence N 86 10' W 1420' to a stake; thence S 50 50' W to the point of beginning. Containing 140 acres.

Harold Parker State Forest; Description of closed area: All portions of Harold Parker State Forest, in the town of Andover, West of Jenkins Road.

Greylock State Reservation; Description of closed area: Hunting is prohibited within a radius of 3/4 miles from the summit, the area designated by statute as the War Memorial Park. In addition, no hunting shall be allowed from May 20th to the day Columbus Day is observed by the Commonwealth.

Willowdale State Forest, Ipswich-Topsfield; Description of closed area: That portion known as the "Pine Swamp Section", lying east of U.S. Highway Route #1.

Wompatuck State Park; Description of closed area: All areas of the park with the exception of the south western most portion of the park known as the "South Group" and including the area known as "Prospect Hill".

12.18: continued

Harbor Islands State Park System; Description of closed area: All areas of all Division islands which are above the mean high water line.

Lowell Dracut State Forest; Description of closed area: 150 acres included in the Native American Permit area.

(8) Special Restrictions at Wompatuck State Park.

- (a) No hunting of deer is permitted.
- (b) Raccoon hunting may be allowed by special written permit issued by the Regional Forest and Park Supervisor.
- (c) No person shall use any weapon other than shotgun or bow and arrow for the purpose of taking game with the exception that for the purpose of raccoon hunting, the firearms regulations of the Division of Fisheries and Wildlife shall apply.
- (d) All hunters are required to register upon entering the park.
- (e) No person shall engage in hunting, or trapping activities beyond the normal operating hours of the park, with the exception of those persons possessing a valid and current raccoon hunting permit.

12.19: Target Shooting

A person shall not engage in target shooting or target practice on any Department property.

12.20: Field Trials

No person or organization shall use any Department property for organized field trials without written permission of the Director.

12.21: Use of Non-Motorized Vehicles

A person shall not use non-motorized devices such as bicycles, roller skates, rollerblades and skateboards in Urban Heritage State Parks unless posted to the contrary, or on walkways constructed for pedestrian access. No person shall use any non-motorized device, other than a bicycle, on forest roads used by motorized vehicles.

12.22: Use of Facilities Fees

No person shall on Department property use or occupy facilities for which a fee or other charge has been established unless the person has first paid such fee or charge, except where a waiver of fee is provided for by law.

12.23: Traffic Rules and Parking

- (1) The operator of a vehicle shall obey the instructions of any official traffic control sign, signal, device, marking or legend unless otherwise directed by Department Personnel.
- (2) A person shall operate a vehicle on any land, forest road, driveway or parking area, under the care and control of the Department, in conformance with all applicable M.G.L. c. 90 issued rules and regulations.
- (3) Department employees may divert vehicular traffic or pedestrians, when necessary, to avoid congestion or promote safety and convenience. No person having charge of a motor vehicle shall refuse or neglect to stop or position the vehicle when directed by a Division employee, or when indicated by signed markings or barriers.
- (4) No person shall operate a motor vehicle on roads or streets on Department property for any purpose other than direct access into or egress out of the area.

12.23: continued

(5) No person shall stop, stand or park any vehicle in any way or service way of the Department in violation of any rules of the Department, and in particular in any of the following places or under any of the following conditions except when necessary to avoid conflict with other traffic or in compliance with the direction of a park supervisor or his/her designee, a park ranger or traffic sign or signal.

(6) Parking Violations. No person shall park on Department property in the following circumstances or locations:

- (a) Snow Accumulation. Notwithstanding any provisions of 304 CMR 12.00 permitting the parking of vehicles on Department ways or service ways, whenever snow or ice accumulated to a depth of two inches or more on a Department way or service way, no person shall allow, permit or suffer any vehicle registered in his name to stand section thereof until the Department way or service way or section thereof used for vehicular travel has been cleared of snow or ice to within 12 inches of the curb or edge of the roadway within the Department way or service way or section thereof.
- (b) Double Parking. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (c) Fire Hydrant. Parking within ten feet of a fire hydrant.
- (d) Within Intersection. Parking within an intersection.
- (e) Obstructing Public Transportation. Upon any Department way or service way, parking in such a manner as to obstruct the movement of any bus.
- (f) Fire Station Exit or Entrance. Parking within 20 feet of the driveway entrance or exit of any fire station or on the side of the Department way opposite the entrance or exit of any fire station, within 75 feet of the entrance or exit as posted.
- (g) Crosswalk or Sidewalk. Stopping, standing or parking a vehicle, whether occupied or not, on any crosswalk, except momentarily to pick up or discharge a passenger or passengers, nor upon any sidewalk.
- (h) Bus Stop. Stopping, standing or parking a vehicle, other than a bus in a bus stand or stop when such stand or stop has been officially designated by signs, except that the drive of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such zone.
- (i) Wrong Direction. Parking in the opposite direction of the flow of traffic pertaining to that side of the street on which the vehicle is parked.
- (j) Emergency Areas. Stopping, standing or parking of vehicles in a manner which would create an emergency condition or would cause unusual delay to traffic.
- (k) Restricted Areas. Stopping, standing or parking at any place where official traffic signs have been placed or erected prohibiting stopping, standing or parking.
- (l) Obstructing Driveway. Stopping, standing or parking a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers, in front of a public driveway or private driveway or road without the consent of the appropriate park personnel.
- (m) No Passing Zone. Stopping, standing or parking a vehicle upon any Department way within any area designated either by signs or pavement markings as a "No Passing Zone".
- (n) Less Than Ten Feet. Parking a vehicle in a manner which will not leave a clear and unobstructed lane ten feet wide for passing traffic.
- (o) One Foot From Curb. Stopping, standing or parking upon a Department way or service way with both wheels on the side of the vehicle adjacent to the curb or edge of the roadway greater than 12 inches of the curb or edge of the roadway. Where snow, ice, debris or other obstruction prevents the parking of a vehicle as specified above, any vehicle parked so as to obstruct the free flow of traffic shall be considered in violation of 310 CMR 12.23.
- (p) Handicapped parking. Parking an unauthorized vehicle in any space at any of the Department's parking lots that is designated for parking only by vehicles displaying an HP, DAV, HP Placard or wheelchair symbol license plate.
- (q) Access Area. Stopping, standing or parking in front of Department access gates or areas.

(7) Violations of 304 CMR 12.23 shall be punished by a fine of \$10.00, except for violations of 304 CMR 12.23(7)(p) which shall be punishable by a fine of \$25.00. The Department may have any vehicle parked in violation of 304 CMR 12.23 towed at the owner's expense.

12.24: Designated Campsites: General Rules

- (1) No person shall camp in any area administered by the Division, except in a campsite or cabin.
- (2) No person shall vacate a cabin or campsite at the termination of the rental period without first notifying the Area Supervisor or his authorized representative.
- (3) No person shall register for more than one cabin or campsite.
- (4) No person shall be permitted to register for a cabin or campsite unless such person or group of persons shall have his or their camping equipment present at the time of registration.

All equipment must be removed from a designated campsite at the end of a camper's registration period.
- (5)(a) Between Memorial Day and Labor Day, no person or recreational camping vehicle shall occupy any designated cabin or camping area for a period of time exceeding 14 cumulative calendar days unless approved by the Area Supervisor. The Area Supervisor shall approve requests for an extension of the camping period from one to three days at a time, only if:
 1. Newly arrived campers can be accommodated in the camping area;
 2. The registered camper has complied with all DEM regulations, rules and policies while camping.
- (b) The Area Supervisor may approve registration of a recreational camping vehicle for more than 14 cumulative days between Memorial Day and Labor Day only if:
 1. An extension is approved under 304 CMR 12.24(5)(a);
 2. The campsite is registered in the name of the camper who has not previously been registered in the camp ground between Memorial Day and Labor Day; and
 3. The equipment has not previously occupied a site within the campground within the previous 14 days.
- (c) Reservations for cabins will be accepted for not less than the one week nor more than two weeks between Memorial Day and the Sunday before Labor Day. At all other times, the minimum rental period will be two days.
- (6) No designated campsite or cabin shall be used as a permanent domicile.
- (7) No rented cabin or campsite shall be left unoccupied by persons on the first night of registration, nor shall the cabin or campsite be left unoccupied by persons for a period in excess of 12 contiguous hours thereafter. Violation of 304 CMR 12.24(7) may be deemed sufficient cause for cancellation of the camping or cabin permit and removal of any personal materials or equipment.
- (8) Between the hours of 10:00 P.M. and 7:00 A.M., all unnecessary noise shall be avoided in any designated campsite or cabin of the Division.
- (9) The Director may, in the interest of public health, safety or the proper operation of a facility, designate the maximum number of persons allowed to occupy or visit each campsite.

In the case of non-family use of a cabin or campsite, the names and addresses of each individual occupying the site shall be listed on the registration card. Suitable identification of the individuals may be required at the time of registration.
- (10) No person or group of persons shall register under more than one name at a cabin or campsite.
- (11) All requests for renewal of campsite reservations shall be initiated no later than 8:00 P.M. of the day prior to the campsite rental expiration. Check out time for campers vacating cabins shall be no later than 11:00 A.M. Advanced reservations can be made at campgrounds designated by the Director.
- (12) No person shall leave or cause to be left unattended by an adult, any child or children under the age of 16 at any campsite or cabin of the Division.
- (13) No person who is a juvenile (under 18 years of age) shall camp in or stay in a cabin or campsite of the Division except:
 - (a) When accompanied by a parent or legal guardian;

12.24: continued

- (b) When the juvenile furnishes to the Area Supervisor the written consent and full name, address, and telephone number of a parent or legal guardian. Such written consent shall specify the inclusive dates and forest, park or reservation location applicable, or;
- (c) When a juvenile is part of an organized youth group occupying a campsite or cabin under the direct supervision of one or more adult counselors.

(14) No new campsite registrations will be accepted between the hours of 10:00 P.M. and 7:00 A.M.

(15) The use of Trailer Waste Stations for the disposal of accumulated human wastes shall be restricted to persons in recreational camping vehicles holding a current and valid camping permit. Non-registered campers in recreational camping vehicles may pay for disposal of waste on a per use basis at the discretion of the Area Supervisor. The Director may issue a special use permit for other persons to use Trailer Waste Stations.

(16) No person shall erect or place on any Campsite, more than two tents or one recreational camping vehicle and one small tent. Tents shall be limited to 300 square feet of combined floor space. With the exception of rain tarps or tent flies, no other structures shall be erected on the site.

(17) No person shall erect on any campsite, any structure or equipment which is, at the discretion of the Area Supervisor, deemed to be unsanitary and/or unsightly or inappropriate for the area.

(18) No person shall keep or park more than one automobile and two motorized trail vehicles at any cabin or campsite of the Division, except that, at the discretion of the Area Supervisor, an additional automobile or motorcycle may be parked at the site when the following requirements are met:

- (a) the vehicle is registered to a valid occupant of the site;
- (b) both vehicles can be accommodated on the site in total and neither extends beyond the limits of the site so as to impede or restrict pedestrian or vehicular traffic flow; and
- (c) sufficient space is available on the site so that neither vehicle shall cause or tend to cause damage to trees, shrubs, bushes, grasses or compaction or erosion of ground cover.

(19) No person shall allow his/her campsite or cabin area to become or remain in an unclean, unsanitary or unsightly condition during their period of occupancy.

(20) The person or persons to whom a campsite is registered are responsible for the action of all campers on that site and/or all visitors to that site. Any violation of the General Laws of the Commonwealth, or the Department of Environmental Management's Rules and Regulations by any of the above persons shall be cause for immediate eviction of all concerned parties.

12.25: Designated Campsite or Cabin Visitors

(1) Day use visitors to persons occupying Division cabins or campsites shall be required to park their vehicles in such places and manner as shall be dictated by the Area Supervisor.

(2) No more than five persons shall be permitted to visit a Division campsite or cabin at any given time.

(3) Visitation to Division campsites or cabins shall not be permitted prior to 8:00 A.M., nor later than 8:00 P.M. except that neighboring campers from the same camping area may visit another campsite until midnight.

12.26: Campsite Overflow Areas

At his discretion, the Director may establish holding areas for campers seeking assignment to temporarily full campgrounds at certain State Forests, Parks or Reservations. The use of such areas shall be limited to self-contained recreational vehicles only.

12.27: Group Campsites, Safari Sites and Day Use Sites

(1) Group camping, safari camping and/or day use facilities are maintained at selected state forests, parks and/or reservations and are available on a prior reservation basis only.

(2) The use of group camping and/or day use facilities is intended for the benefit of youth group and non-profit community or state youth service agencies. The use of such sites by non-qualifying families, groups, or individuals shall be permitted at the discretion of the Area Supervisor, only when such use shall not interfere with the use of such sites by qualified youth groups and non-profit community-service groups.

(3) Reservations for use of group campsites, safari camping or day use facilities shall be placed, a minimum of one week in advance of the anticipated use date or period, with the Area Supervisor. Reservations will be assigned on a first come--first served basis.

(4) The use of group campsites and safari camp sites shall be limited to a maximum of two weeks.

(5) Youth groups utilizing group campsites on Division properties shall consist of an adult counselor/youth ratio of not less than one to ten. Final ratio will be determined by the Area Supervisor. The name and address of an adult (at least 18 years of age), who shall take responsibility for the group, shall be registered with the attendant on duty at the time of registration. The adult(s) shall remain with the group during the entire period of occupancy.

(6) The use of safari camping facilities is intended for the benefit of family camping clubs. All camping units must be self-contained, (i.e. on-board fresh water and sewage holding tank(s)). The name and address of the wagonmaster or responsible party designee shall be registered with the attendant on duty at the time of registration.

12.28: Trail Use, General Provisions

(1) Trails constructed and/or maintained on Division property shall be managed to accommodate one or more of the following primary uses:

(a) Non-motorized:

1. Hiking/Recreational Walking;
2. Equestrian;
3. Interpretive;
4. Nordic Skiing/Snowshoeing;
5. Bicycle;
6. Mountain Bicycle (when utilized for off road purposes); or
7. Other special uses (i.e. wheelchairs or similar devices designed for the purpose of trail access for the physically challenged, carriages, and dogsleds).

(b) Motorized Trail Vehicles:

1. Snow Vehicles; or
2. Off-Road Vehicles.

(2) All non-motorized trail uses, as outlined in 304 CMR 12.28(1), shall be permitted on any Division forest trail or forest way unless posted closed with appropriate signage, or prohibited by special regulation. Forest trails and forest ways may be posted closed to one or more use(s) with signs at individual trailheads, intersections, or, on Division properties where particular use(s) are prohibited on all or a majority of trails, signage indicating this fact may be posted at one or more prominent locations.

12.28: continued

- (3) At his discretion, the Director or his designee may temporarily close any Division forest road, forest way, forest trail or area to any or all trail uses when, in his opinion, such continued use would be detrimental to the environment due to extremely wet or dry conditions or for any other appropriate reason. Such closures will be accomplished by posting at the trail head and may also include posting at the park headquarters or written public notice when appropriate.
- (4) No person shall operate any ORV, mountain bicycle or snow vehicle upon any Division property where there is no clear evidence of a forest road, forest way or forest trail except in fields, gravel banks or similar open areas where such use is permitted by appropriate signage.
- (5) No person shall promote, sponsor or engage in any race, rally or organized trials event on Division property unless the Director has issued a special use permit.
- (6) No person shall operate any snow vehicle, ORV or mountain bicycle upon any Division property in a reckless or heedless manner or in such a manner as may cause or tend to cause fear, discomfort or injury to any person, wildlife property or vegetation, or at a speed which may be considered unreasonable or improper for existing conditions.
- (7) When approaching a skier, snowshoer, hiker or other foot traveller or horseback rider, the operator of a snow vehicle, ORV, or mountain bicycle shall immediately slow his vehicle to a minimum safe operating speed, shall give such person the right of way, shall not pass until it can be accomplished with complete safety and shall not accelerate the vehicle until there is a reasonable distance of not less than 50 feet from such person. Where ever possible, a snow vehicle, ORV or mountain bicycle shall keep to the right side of a forest road, forest way or forest trail.

12.29: Snow Vehicle and Off-Road Vehicle Operation

- (1) No person shall operate a snow vehicle or an ORV upon any Division property except in accordance with M.G.L. c. 90B, §§ 21 through 35, the regulations promulgated thereunder, 323 CMR 3.00, these regulations and any applicable special use permit.
- (2) No person shall operate any snow vehicle or ORV upon or over any property of the Division unless that vehicle is registered under M.G.L. c. 90A or c. 90B.
- (3) No person shall operate an ORV upon or over Division property except during daylight hours.
- (4) (a) No person shall operate any ORV upon or over any Division property except on forest ways and forest trails specifically designated and marked for ORV use pursuant to 304 CMR 12.29(4)(b).
 (b) The Division may designate and mark forest ways and forest trails for ORV use in the following Division park units:
 Freetown-Fall River State Forest;
 F. Gilbert Hills State Forest;
 Georgetown-Rowley State Forest;
 Brimfield State Forest;
 Savoy Mountain State Forest;
 Pittsfield State Forest;
 October Mountain State Forest;
 Beartown State Forest;
 Tolland State Forest; and
 Myles Standish State Forest.
 (c) The Division shall designate an annual riding season for ORV use for each Division park unit designated under 304 CMR 12.29(4)(b). The annual riding season shall begin no earlier than May 1 and shall end no later than the last Sunday in November of each calendar year.

12.29: continued

(d) 304 CMR 12.29(4) shall not prohibit the use of any vehicle legally registered under the provisions of M.G.L. c. 90 from utilizing any Division forest road or forest way when such corridor is open to the use by the general public for motor vehicle travel.

(e) 304 CMR 12.29(4) shall not prohibit the use of an ORV in accordance with the Division of Fisheries and Wildlife hunting laws by any physically challenged licensed hunter during hunting season who has written permission from the Area Supervisor.

(f) 304 CMR 12.29(4) shall not prohibit the use of an ORV for trail management or maintenance activities by Division staff or volunteers with written permission from Area Supervisor.

(g) The Division shall enter into a memorandum of agreement with a recognized ORV user group for each Division park unit designated under 304 CMR 12.29(4)(b).

(5) No person shall operate any vehicle with a gross weight in excess of 1000 pounds on any forest way or forest trail except where the way or trail is specifically posted for such use. 304 CMR 12.29(5) shall not prohibit the use of any vehicle legally registered under the provisions of M.G.L. c. 90 on a forest road or forest way when the corridor is open to the use of the general public for motor vehicle travel.

(6) No snow vehicle is allowed on Department property unless the Director has opened that property to use by snow vehicles. Upon request to the Director and at the headquarters building in each Department property, the Division shall make available a list of all Department properties where snow vehicles are and are not allowed.

(7) In those areas opened by the Director pursuant to 304 CMR 12.29(6), snow vehicles may be utilized on any unplowed forest road or forest way unless posted to the contrary or prohibited by regulation.

(8) No person shall operate a snow vehicle upon Department property unless the area superintendent has determined the sub-surface soil of the land of a particular Department property to be solidly frozen and completely covered with a minimum of four inches of hard packed snow or ice. The Division shall post these lands as open or closed in accordance with existing weather and snow condition. The Division may post this information at the park headquarters, at the trail head, by written public notice or a combination.

(9) When the Division has posted the frozen waters to prohibit it, no person shall operate a snow vehicle upon the frozen waters of the Department. In the absence of such a posting, a person utilizing frozen water bodies do so at their own risk and the Division assumes no responsibility either implied or expressed for the safety of any persons who voluntarily assumes a known and obvious risk inherent in such activities. No person shall operate an ORV or snow vehicle upon any frozen Department waters under any circumstance unless a minimum of five inches of solid ice cover is present. The operator shall determine the thickness of the ice, and assumes all responsibility in undertaking an activity with an inherent and known risk.

(10) Each snow vehicle operated upon Department properties shall carry a spare spark plug, flashlight, and spare drive belt and sufficient tools to effect minor repairs.

(11) No person shall operate an ORV or snow vehicle in or upon the unfrozen waters or wetlands of the Department except for the purpose of crossing a stream over a bridge, culvert or similar structure or by operating the vehicle at the minimum speed required to maintain controlled forward movement and crossing in the most direct manner to minimize the potential for erosion of the bed or banks of the stream.

(12) No person under 12 years of age shall operate any snow vehicle or ORV upon or over any Department property.

(13) No person shall operate any moped or similar power assisted bicycle as defined in M.G.L. c. 261 upon any Department bicycle path, rail trail, forest way, or forest trail.

12.30: Trail Use, Bicycle Paths and Rail Trails

- (1) No person shall operate any motor vehicle upon or over any bicycle path or rail trail except those authorized by the Regional Forests and Parks Director for the purposes of construction, management, and maintenance of the facilities.
- (2) No person shall enter onto private property from a rail trail.
- (3) Rail trails may be used after dark for transportation and commuting purposes provided users are equipped with a white light to the front and a red light to the rear that are visible for at least 500 feet.
- (4) Bicycle path and rail trail users shall keep to the right and when stopping, not block the bicycle path.
- (5) When passing, bicycle path and rail trail users shall alert others with an audible signal (voice, bell or horn).
- (6) Rail trail users shall stop at intersections and obey all regulatory signs and pavement markings.

12.31: Use of Appalachian Trail

- (1) Definition of terms used in 304 CMR 12.31.

Appalachian Trail ("A.T.") means a four-foot wide by eight-foot high passageway that is designated for use by hikers, cross-country skiers, and snowshoers only. It shall be constructed with the least possible disturbance to the natural setting.

Camping means the utilization of camping equipment for the purpose of occupying a portion of state land for transient and temporary outdoor living.

Camping Equipment means the minimum necessary wilderness survival supplies that can be carried in a person's possession.

Corridor means the contiguous Appalachian Trail Lands (A.T.L.) purchased for the express purpose of being transacted by the A.T. and in Massachusetts on established Massachusetts Park Lands, a 200-foot strip of land 100 feet on each side of the trail is also considered the A.T. Corridor.

Designated Campsites means a cleared area indicated by signs and constructed to accommodate temporary shelters carried by A.T. hikers. Fires are allowed in fireplaces provided.

Dispersed Camping Zone means a lengthy area along the trail more than 100 feet perpendicular from the trail where suitable drainage and plant life will allow for minimum impact camping indicated by camping zone signs. No fires allowed.

Shelters means a roofed structure with three or more sides built for accommodating A.T. hikers. Fires are allowed only in fireplaces provided.

Trailheads and Parking Lots means a specifically designated area where a person can leave their transportation and embark by foot on a lengthy walk of the A.T.

- (2) General Prohibitions, Appalachian Trail Lands.
 - (a) The A.T. is intended primarily as a footpath, and shall be preserved in-so-far as practicable.
 - (b) No person shall operate any snow vehicle, ORV, or bicycle upon any portion of the A.T.L.
 - (c) Hunting, trapping, or discharging of firearms within 500 feet of the border of a designated campsite or shelter is prohibited.

12.31: continued

(3) Camping Regulations on Appalachian Trail Lands .

- (a) No person shall erect any structure other than camping equipment which shall be allowed only in designated or dispersed camping zones on the A.T.L.
- (b) No person shall camp on any A.T.L. except those indicated as shelter areas, designated campsites, and dispersed camping zones.
- (c) No person shall kindle, build, maintain, or use a fire other than at shelters or designated campsites, except that portable stoves, using gasoline or other manufactured fuels, may be used.
- (d) Persons shall use sanitary and toilet facilities when available. If not available, the disposal of human wastes shall be at least 100 yards away from a shelter, tenting area and water supplies.
- (e) No person shall allow his/her campsite to become or remain in an unclean, unsanitary, or unsightly condition during their period of occupancy. All materials carried in must be carried out.
- (f) No more than 12 persons shall occupy one campsite area.
- (g) The duration of occupancy of any campsite by a person will be limited to two nights except in cases of sickness or emergency.
- (h) No person shall cut standing trees, branches, or bushes for any reason. Firewood can be obtained only from fallen material.
- (i) No person shall camp within 200 feet of a water supply of the A.T.
- (j) No person shall operate or use any audio device, including radio, television, or musical instruments, and other noise producing devices in such a manner or at such times so as to disturb other persons.
- (l) No person shall in any manner, deface, displace, or remove or tamper with any Appalachian Trail buildings, bridges, tables, benches, fireplaces, water sources, signs, boundary markers, or other public structures and equipment.
- (m) No person shall camp where it would be necessary to do any digging up of rocks, soil, humus, or the ground cover that is present.

12.32: Use of Department Water Bodies including Beaches

- (1) No person shall land or take off from any body of water administered by the Division in a helicopter, seaplane, or so-called ultra-light aircraft without prior written permission of the Director. This shall not preclude forced landings where such landing is necessary to preserve human life or property.
- (2) No person shall enter upon the frozen water of the Department for the purpose of skating, ice fishing or other non-motorized purposes when said frozen waters have been posted prohibiting such use. A person utilizing said bodies of frozen water do so at their own risk, and the Division assumes no responsibility either implied or expressed for the safety of any persons who voluntarily assume a known and obvious risk inherent in such over frozen water operation.
- (3) No person shall swim, bathe, dive or wade from any watercraft, personal watercraft, dock, raft or from a shoreline of any Department property other than those areas officially designated as swimming areas.
- (4) No person shall swim, bathe or wade in the waters of any Department beach except during the normal hours of operation of said facility.
- (5) No person shall be nude while swimming, diving, sunbathing or bathing in the swimming areas of the Department .
- (6) No person shall change clothing except in bathhouses or similar facilities provided for that purpose.
- (7) No person shall possess glass or non-returnable metallic containers on any beach the Department, except a person may possess a thermos type bottle or jug which, when damaged, will contain all glass splinters within its outer shell.

12.32: continued

(8) No person shall use or offer for use, any inner tube ring, buoy, air-mattress, beach ball, or similar novelty device of inflatable air cell construction, nor any plastic foam flotation device in the waters of the Department, except that a serviceable Coast Guard approved personal flotation device of jacket or vest construction, may be used, at the discretion of the lifeguard on duty, as a safety aid at a beach when the user is being assisted by a responsible and experienced swimmer.

(9) No person shall swim in any canal belonging to or managed by the Department.

12.33: Swimming Pools

(1) No juvenile, under the age of 12 shall be admitted to any of the swimming pools of the Division after 6:00 P.M., unless said juvenile shall be under the direct supervision of a responsible adult.

(2) No juvenile under the age of eight shall be permitted to utilize the main swimming pool of any Department property except in cases of organized Red Cross instruction or similar programs when authorized by the pool superintendent.

(3) No person shall utilize any Division swimming pool prior to taking a cleansing shower as required by law or state regulation.

(4) No person shall bring personal property, including but not necessarily limited to towels, hats, goggles, items of clothing or chairs, in the pool, or pool apron.

(5) No person shall consume or drink any food or beverage or utilize any form of smoking material in the pool area.

(6) Bathers with long hair, defined as shoulder length when wet, may be required at the discretion of the pool superintendent, to wear a bathing cap.

12.34: Boating/Watercraft

(1) No person shall launch or use any internal combustion powered water craft of any nature or type, including personal watercraft, on Division waters where it is posted as prohibited or limited to certain types of internal combustion engines. Emergency launching is allowed at all times.

(2) No person shall operate any watercraft or personal watercraft upon Division waters in excess of the posted speed limit. If no speed limit is posted, the speed limit shall be 12 m.p.h. except that when towing water skiers, maximum speed shall not exceed 35 m.p.h.

(3) No person shall operate any watercraft or personal watercraft upon the waters of the Division in excess of five miles per hour when said watercraft or personal watercraft is within 150' of any channel, tunnel, pier, mooring, wharf or other floating structure or swimming beach.

(4) No watercraft or personal watercraft, powered by an internal combustion engine, where the engine is uncovered or exposed to the atmosphere, shall be launched, maintained or operated upon any Division waters except by special permit issued by the Director of Forests and Parks.

(5) No person shall use or operate any air propelled powercraft or hovercraft on or over any of the lands or waters of the Division.

(8) No operator of a watercraft shall anchor, dock or tie-up any watercraft to any dock or ramp designated by the Division to be a general public use dock or ramp in such a manner as to hinder or obstruct the launching of watercraft or the navigation of adjacent waterways or for a period of time in excess of one hour, except at locations designated for longer periods of time by the Director.

12.34: continued

(9) So-called inflatable boats are allowed in those areas where boating is allowed if the inflatable crafted with a minimum of two separate air cells in the gunnels and two or more separate air cells in the floor; or a non-inflatable hull of material normally associated with traditional boat construction.

(10) The launching or use of any water craft of any nature or type, whether motor powered or not, is prohibited on the following Division waters or launching ramps at all times:

All Ponds:	Bristol Blake State Park
Chicopee Reservoir:	Chicopee Memorial State Park
Dean Pond:	Brimfield State Forest
Robinson Pond:	Robinson State Park
All launching ramps:	Fort Phoenix State Reservation
All launching ramps:	Fall River Heritage State Park.

(12) Sailboats are prohibited on Walden Pond at Walden State Reservation.

12.35: Windsurfing

No person shall launch a windsurfing board at designated swimming beaches from Memorial Day to Labor Day except at those areas specifically designated by Area Supervisor for windsurfing.

12.36: Board Surfing

No person will surf or utilize a surf board in any manner within a designated swimming area unless said area has been so designated by the Area Supervisor for board surfing.

12.37: Towing Behind Boats

(1) No person shall water ski in any lake or pond administered by the division unless the Director has designated in on a list of lakes and ponds where water skiing is allowed. Water skiing means the use of any type of devise designed to propel one or more persons across the surface of the water by means of towline attached to a watercraft.

(2) No person shall tow any water skier upon Division waters at any time unless at least two persons are present in the watercraft, one of whom shall act as a safety observer for the skier(s).

(3) While being towed by a watercraft or motor-vehicle, no person shall have any airfoil or balloon device in hand or affixed to his person for the purpose of becoming airborne.

12.38: Private Use of Division Waters

No person shall construct or maintain any such super-aqueous structure without first having applied for and received a written special use permit from the Director or his designee.

REGULATORY AUTHORITY

304 CMR 12.00: M.G.L. c. 21, § 4A; c. 132A, §§ 7 and 7A; c. 90, § 18.